

Michele L. Braukmann
W. Anderson Forsythe
Afton Ball
MOULTON BELLINGHAM PC
Suite 1900, Crowne Plaza
P.O. Box 2559
Billings, Montana 59103-2559
Telephone: (406) 248-7731
Fax: (406) 248-7889
Michele.Braukmann@moultonbellingham.com
Andy.Forsythe@moultonbellingham.com
Afton.Ball@moultonbellingham.com

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

HARDY CONSTRUCTION CO., a
Montana Corporation,

Plaintiff,

-VS-

CONTINENTAL WESTERN
INSURANCE COMPANY,

Defendant.

Case No. CV 14-139-BLG-SPW-CSO

**PLAINTIFF HARDY
CONSTRUCTION CO.'S
UNOPPOSED MOTION TO
STAY AND VACATE ALL
PENDING DEADLINES,
INCLUDING RULE 26(F)
CONFERENCE AND
PRELIMINARY PRETRIAL
CONFERENCE**

Plaintiff Hardy Construction Co. ("Hardy Construction"), respectfully requests that this litigation be stayed and that the Rule 26(f) discovery planning conference and Preliminary Pretrial Conference be vacated. The

Parties are exploring settlement in the underlying litigation of *Southern Lights, L.P. v. Hardy Construction Co., Cronin Paint and Décor, LLC n/k/a Primary Paint, LLC, O2 Architects, PC, Wallpro, Inc., Empire Roofing, Inc., Architectural Doors and Hardware, LLC, Pella Windows & Doors, Inc. d/b/a The Pella Window Store, Winchell Landscaping, Inc., Morgro, Inc., and John Does 1-10*, Cause No. DV 13-1290 in the Montana Thirteenth Judicial District, Yellowstone County. A Mediation has been set for January 29, 2015. At that time, the Parties will attempt to settle the underlying litigation, as well as the disputes that exist in relationship to handling of the claims by Defendant.

The Parties believe it would be more expedient to determine whether the underlying litigation and pending claims can be resolved and settled prior to conducting the discovery planning conference and Preliminary Pretrial Conference in this case, as well as moving forward with all other deadlines in this case. Therefore, the Parties request a stay of this action, up to and through February 27, 2015. If the claims are not resolved at that time, Plaintiff will advise this Court and move to vacate the stay of this action. Plaintiff is authorized to state that Defendant does not object to this Motion to Stay.

DATED this 25th day of November, 2014.

MOULTON BELLINGHAM PC

By /s/ Michele L. Braukmann
W. ANDERSON FORSYTHE
MICHELE L. BRAUKMANN
Suite 1900, Crowne Plaza
P.O. Box 2559
Billings, MT 59103-2559
ATTORNEYS FOR PLAINTIFF

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